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THE "SOCIAL EVIL" QUESTION.

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[The following correspondence and treatment of this subject by Arthur B. Stout, M. D., of San Francisco, already alluded to in this report, explains itself. The paper, it will be seen, was prepared at the instance of a member of the Legislature of Nevada, but not having been ready in time for the action of that body, who disposed of the question in the negative, it was read before the Section on Hygiene, at the late meeting of the American Medical Association in San Francisco, and received the indorsement of that Committee, with a recommendation that it be appropriated to the uses of the State Board of Health of California.]

SAN FRANCISCO, February, 1871.

Hon. J. D. Burlingame, Nevada:

DEAR SIR: In compliance with the request of Mr. B. C. Whitman, of Carson City, and learning from him that the Legislature of the State of Nevada proposes "to examine the question of regulating houses of prostitution," I take the liberty to address you upon the subject. Lest I should appear to obtrude without invitation the views I offer, a copy of Mr. Whitman's letter is herewith attached:

CARSON CITY, Nev., January 16th, 1871.

MY DEAR SIR: The Legislature of the State proposes to examine the question of regulating houses of prostitution, and desires such statistics of French and other laws as can be obtained.

Mr. J. D. Burlingame, of the Assembly, has spoken to me on the subject, and I have told him that I thought you could assist him in the matter. If not too much trouble, will you furnish him such information as you may have, or direct him to such sources of knowledge as may be available?

I remain, your obedient servant,

B. C. WHITMAN.

DR. ARTHUR B. STOUT, San Francisco.

It is indeed greatly to the honor of American legislators that previous to the enactment of statutes they seek to collect the facts of experience and from them derive new laws. On this basis the hope may be realized that American institutions will excel those of every other nation. Inoperative statutes exhaust confidence in law. They are very costly to make, a great burden to enact; and a useless encumbrance to the Code. Unavailable laws appear rather to provoke litigation than

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suppress disorder. The easy appeal in Courts from decisions which seem to conflict, or are made for mercenary purposes to appear so, with the privileges of equality or the rights of man, renders the remedy for misdemeanor very protracted and expensive. Oftentimes the result of a long trial reveals the most mortifying fact that the sumptuary statute is unconstitutional. In the meanwhile, however, the misdemeanor against which the law has been enacted proceeds with accelerated speed. The history of legislation, as manifested in suppressive laws with retributive penalties against prostitution, clearly indicates that the "social evil" cannot be removed by that intervention. Legislation may embarrass, irritate, exasperate; but the evasions it gives rise to introduce crimes in addition to misdemeanors, and create a long series of more serious disorders on the police record.

For the sake of brevity, and to avoid citation of authorities and long quotations, I forward for your perusal Sanger's admirable History of Prostitution. It may be fairly considered as exhaustive of the ancient and modern history of the subject. The collateral history of the second great "social evil" which prostitution has evolved, viz: the diseases which grow and are propagated from it, are amply therein considered. The moral fear of the one is nearly equally measured by the physical terror of the other. They march in concert. In fact, in political economy they become one question. The exact relations which have prevailed and been accepted as social or moral between marriage and an uncontrolled intercourse of the sexes in the most remote ages, cannot be easily defined. Certain it is that the wildest and most opposite customs have been tolerated and accepted. The history of those times shows that prostitution, with its attendant fearful diseases, prevailed in the most princely families and orders of men. The religious classes did not form exceptions, and the same histories disclose the facts, constantly repeated, that direct legislation has always proved a failure. The failure has always been and probably always will be found, firstly, in the extreme intricacy of the subject, and, secondly, in the great fallibility of the agents employed to administer the law. In ancient states of society the practices of all countries, the feasts and atrocities of the Lupercalia and like ceremonies dedicated to Venus, prove that weClock was not regarded publicly with the same austere severity as in the present age of Christianity. And it was just in those epochs of all nations that the world was scourged with the most terrific forms of venereal diseases. They prevailed in the noblest classes; they must have prevailed still more extensively in the humblest, because the universality of disease made it common to all. The poor were no more virtuous nor discreet than the rich, in the observance of their marital vows. Again, the history of the "social evil" in all countries shows that its absolute suppression is impossible. It defies statute law, evades moral and religious law, and escapes from the conventional social law.

Hence its gradual repression is all that can be attained, and that only through a non-coercive system. Under imperial governments, coercion may avail somewhat, for the force can be applied irrespective of the rights and privileges of freemen. Again, in large cities where the population is very dense, and poverty prevails in consequence of the product of labor being less than the requirements of living, the authorities are cheerfully invested with greater police power; but republican institutions do not afford the same facilities. Herein every man is the free arbiter of his own acts, and of his own health. You cannot compel him to be officially prudent, to be clean, nor to eat by regulation. His house



is his castle. You cannot enter to search his premises, much less examine his person in regard to his health, except under a legal criminal complaint. Under the Constitution he is free to provide for his life, liberty and happiness, according to his own volition. In disease, he is free to keep his malady secret; and if he confide in a physician, the latter is bound in honor to hold the confidence sacred, and no authority can compel him to place the facts indelibly on record. Each person is free to use or refuse medical treatment; he may apply his own remedies or may confide in the restorative powers of nature. Now, what is true of men is equally applicable to the rights of women.

Whenever statistics of prostitution are asked for, as well as upon its concomitant disease, the "*morbus gallicus*," a sinister glance is turned to "fair France" for original information. This is a libel and a scandal on the escutcheon of that nation. The birthplace of the pest is unknown, nor is it known whether it was first born of man or woman. This is truly a blissful ignorance, for the knowledge of its origin would contribute nothing to its cure. Born of filth and lewdness somewhere, it was rendered universal by prejudice and ignorance. To the vindication of fair France, however, it is proved that it existed to a frightful extent in America, among the ancient Aztecs of Mexico, long before the arrival in America of Christopher Columbus. We find in the elegant and erudite history of Mexico, before the advent of Columbus, and written by the Abbé Brasseur de Bourbourg, the following note (vol. 1, page 181):

"The Totamaques, who represented themselves in their traditions as first founders of the Pyramids of Téotihuacan, were the first emigrants from Chicomoxta. They were the first who cultivated the soil of the Valley of Anahuac, where subsequently so many other tribes were destined to succeed them. At an early period, also, the chiefs of the Nahoas of Tamoanchan appeared, because long before the foundation of the Toltec Empire people came from that region to Téotihuacan to offer sacrifices. It is also in this city, rendered sacred by several titles, that the deceased Princes were buried and their successors elected. These are the only data which throw light upon the primitive history of Anahuac. Now, it is here that one of the most extraordinary episodes, under the veil of an allegory, is recorded. It is the Apotheosis of Nanahuatl, and his metamorphosis into the God of the Sun. The ceremony took place at Téotihuacan. The gods assembled there. Their object was to conjure the reappearance of the sun, the sight of which they had been for a long time deprived. A sacrifice was required to conciliate the orb of day, and obtain his reappearance above the horizon. For this object it was necessary that a god should be immolated. The sacrificial pyre was kindled. The one who possessed the courage to cast himself into the fire would merit the honors of Apotheosis, for from his ashes would be recreated the God of Light. Among the others Nanahuatl was present, but ill with a direful incurable malady. There was nothing to attach him to life, for he had exhausted all its joys. But yet he hesitated. The others encouraged him, saying, 'To thee it is to protect the heavens and the earth.' He plunges into the flames and is instantly destroyed. Metzli, his companion, imitates his example, and shortly after the brilliant star of day, again to fertilize nature, appeared in the east. From that time the honors consecrated to the sun were blended with those dedicated to Nanahuatl, and those which were



offered up to the moon were equally awarded to Metzli, who had imitated his courage."

It is shown in the same work that the malady of Nanahuatl was the worst form of syphilis. Indeed, he is called in the ancient histories the "Buboso." To escape the horrible tortures of his disease he accepted the actual cautery of incineration. He purchased this deification cheaply, and those poor idolators, in their ignorance, assuaged his pains with celestial honors.

The inference to be drawn from this statement is, that in former ages prostitution and its maladies existed to a far greater extent than at present; that the marriage union was less respected, and that suppressive laws were of no avail.

It is one of the greatest triumphs of the Christian era to have abated this evil. Under the benign influences of Christianity its first amelioration was wrought. No thanks to the Papacy, however, of the early centuries. Its intolerance punished, but its benevolence never contributed to heal the ill. Prostitution and syphilis had full sway. The nation falsely accused of the origin was the first to attempt with philanthropic succor to assuage, if not to extirpate, the world-wide misery; and France will forever wear the honor of having inaugurated the first great public efforts to counteract the ravages of the disease. Moreover, it was France, under the Republic, which took this initiative, and hence it is republican institutions and principles which may claim the glory of the reform.

The "social evil," then, existed long anterior to the Christian era, but only under the benevolent influences of that faith has it received mitigation. How much more may be done remains to be shown.

Under this aspect of affairs it is evident that while coercive laws have failed, philanthropic influences and benevolent institutions have prevailed. It may be safe to assert, therefore, that since the middle of the sixteenth century the gross amount of prostitution and syphilis in the world has been more than one-half abated. It may also be safely averred that the careful study of the latter disease by the medical profession of all nations within the last century, disclosing its appearance in all its phases and learning its cure through its varied complications, has well nigh divested the malady of its horrors, and left impotent for general harm a disease which in former epochs was the opprobrium and the terror of mankind. As it is the purpose of the political economist to act *for* the State and not *against* individuals, the object of the suppression of prostitution is threefold: Firstly, to improve the moral condition of the State and lessen crime; secondly, to promote legitimate marriage and increase the ratio of families; and thirdly, to diminish the diseases, in their immediate and hereditary forms, which grow out of the "social evil." If these objects can be attained the wealth of the State and its moral force are augmented; while also the race of men will become stronger, healthier, and enjoy a longer duration of life. The analysis in detail of this threefold object will show how rapidly a State may degenerate under the influence of this cause of decay alone, and irrespective of all other causes; and conversely, how the rational promotion of the same objects will enhance its moral and physical greatness.

Having sufficiently adverted to the past, the inquiry is turned to the future. The great remedy is to be derived from the principal causes. There are, with occasional exceptions, *ignorance and poverty*. The direct remedy of the one is the direct cure of the other.



Parent Duchatelet (see Sanger's History of Prostitution, Ch. 10, p. 141) gives the following table of causes :

- Want, one thousand four hundred and forty-one cases.
- Expulsion from home or desertion of parents, one thousand two hundred and fifty-five cases.
- Desire to support old and infirm parents, thirty-seven cases.
- Desire to support younger relations, twenty-nine cases.
- Widows with families to support, twenty-three cases.
- Girls from the country, to support themselves, two hundred and eighty cases.
- Girls from the country, brought by others, four hundred and four cases.
- Servants seduced and abandoned, two hundred and eighty-nine cases.
- Women abandoned by their lovers, one thousand four hundred and twenty-five cases.

This statement shows that to want and to ignorance (the most prolific parent of want) is to be attributed the "social evil." The diminution of these causes, by the philanthropies and the increase of profitable industries, is the explanation of the decrease in the last centuries of this evil and the great improvement in social life.

No woman chooses, of her own volition, the "social evil" for her mode of living. She is impelled to it in ignorance or driven to it by destitution. Her only protectors are her innate sense of modesty and love of virtue, together with her natural pride of high social position. When these sentiments are highly educated, her power of self-protection is increased. As they are neglected, her defences are weakened. If this be true, it is plain that direct coercive legislation can avail but little, while an indirect persuasive legislation, acting upon whole communities rather than on individuals, is the true system by which to reduce the evil to its minimum degree. Again, as regards the application of legislative restrictions and penalties, the idea may be justly advanced that woman, by the very fact of her fall, is sufficiently condemned, and atones by griefs and sorrows more profound than any legislation can inflict. Let, then, the artillery of the law be aimed against those who more deserve its force, because it is manifest that if men will refrain from visiting the houses of reception, such institutions must necessarily cease to exist. Like bad newspapers, which only thrive because worse people buy them; stop the subscription and the evil print expires. A State that would derive any emolument from its repressive laws would at once become a "*particeps criminis*." The State that would condescend to draw a profit from the evil, either in form of punishment or to reimburse expenses, or even withal to endow charitable institutions, would fall from dignity. To license is to encourage.

If the views taken are correct, it follows that the question of the "social evil" resolves itself into the question of public education, and as a consequence, that whatever legislative action conduces to advance the latter contributes indirectly to cure the former. The statistics show the majority of victims are taken from the young, ignorant and untaught, and in Europe from the peasant class. Their innocence is captured through their ignorance. Instruction, then, directed to that especial class, becomes the surest preventive. If a law could make it imperative upon parents to devote the youth of their children, especially the female portion, to obtaining a useful practical education—a law which



would not permit parents to sacrifice the youth of their children to labor for their profit, but require it to be dedicated to the prospective profit of the children themselves, whose time is really their own property—then would progress be made. If the enactment of such laws be inexpedient, then by the establishment of public schools in every county and town in the State, continued open in both winter and summer, the next best approach to improvement is made.

The great diminution in the amount as well as the virulence of the venereal maladies in the present, as compared with the ancient times, and the power exercised over the disease, as well on its primitive forms as its hereditary transmission, by medical treatment, evidently allows the inference that still greater mitigation of the evil may be effected.

The squalid poverty and filth of former ages no longer exist in our more favored country. In a comparative view, the poor of our country are all rich. But yet reformative legislation may very much accelerate the progress of improvement. To this end the establishment of hygienic institutions to which the afflicted may easily resort, without the necessity of a record or register of their affliction, will render benefit. The disgrace and secrecy which accompany contamination contribute immensely to prolong and intensify the evil, and very few are willing to make a public record of a mortifying fact. Let, then, the cure be made as private for the indigent as the rich. In large towns hospitals and dispensaries should be opened, of easy access to all parts of the place; and in counties, a County Physician, with an ample salary, should visit through the county, whose services would be free to the poor. The magnificent public baths of ancient Rome are an institution which would do honor to our philanthropic age. It was, perhaps, this very matter that led the statesmen of that epoch to call them into existence. The religious orders of those times were clever enough to convert to their uses the thermal springs of their respective countries, and, by investing them with the idea of divine visitations, won the merit and the profits of divine cures.

If then, sir, in your State, the Legislature would appropriate some thermal springs of acknowledged efficacy, and devote them to public use, with free accommodations for the indigent, and as a State Hospital to which the poor sick of the State might resort at a very low cost, or for nothing, and even in extreme cases give free transport to the locality, more absolute relief and benefit would be done to the State than by direct legislation against the "social evil."

At present such resorts are occupied as private property, and are only accessible to those who have ample means to pay for their enjoyment.

The magnitude and importance of the subject is my apology for treating it with diffuseness.

I remain, very respectfully, yours,

ARTHUR B. STOUT, M. D.

SAN FRANCISCO, February 10th, 1871.

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The accompanying bill, introduced before the Legislature of Nevada, February twentieth, eighteen hundred and seventy-one, passed the House, but failed to pass the Senate. It was received after the forego-



ing statements were written. If my previous observations contain any force, the utter impracticability of such a statute must be apparent. Its onerous machinery requires that over a State whose area is ninety-nine thousand five hundred and thirty-nine square miles, divided into fourteen counties, fourteen physicians are to make a tour of inspection every two weeks. As many County Sheriffs, Auditors, Boards of Commissioners and Treasurers are to issue licenses, collect moneys, give certificates and form as many "Bawdy-house Funds." Certificates of health, to be exhibited on demand, are to be issued. Any other than the legally appointed physicians, who should give a certificate, to be fined or imprisoned. The appointed physicians must take oath of faithful performance of duty and give bonds. It is further provided that these gentlemen shall not conduct themselves "in a rude or libidinous manner,"—a most remarkable statutory insinuation against medical men, who must firstly be well accredited and also take oath and give bonds. In cases of delinquency, citations must be served by Sheriffs or Constables, and Justices of the Peace must subpœna witnesses, who are compelled to testify, even to their own complicity.

A singular monopoly of medical practice must also ensue, for it appears that the examining physicians are empowered to treat all cases of disease they may discover, gratuitously to the invalid but chargeable to the "Bawdy-house Fund." If the morality of the new State of Nevada requires such stringent legislation, the fourteen Bawdy-house Funds must be carefully looked to in order to requite these medical services, for a single patient might exhaust a county fund.

Numerous other points of objection might be taken against this Assembly Bill No. 199, but I willingly refrain from prolonged comment.

The bill is stated to have been based on a similar statute in another State. If it is the contagious nature of such enactments that they become propagated in other States by the influence of precedent, the subject becomes worthy of the careful consideration of the American Medical Association.

#### AN ACT TO REGULATE HOUSES OF PROSTITUTION.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Any person or persons who shall open, keep or carry on any bawdy house or place for purposes of prostitution, shall obtain a license from the Sheriff of the county in which such bawdy house or other place of prostitution may be kept or carried on, and shall pay therefor the sum of ——— per month, which license shall be granted for three, six or twelve months, at the option of the person applying for such license, and which shall be issued and accounted for by said Sheriff, as is by law provided in respect to other county licenses, so far as the same is not inconsistent with the provisions of this Act.

SEC. 2. Any person, being an inmate of any bawdy house, submitting to or offering herself for purposes of prostitution, shall submit to an examination and obtain a certificate of health, from a physician appointed as hereinafter provided, once in every two weeks; and shall pay to said physician therefor the sum of ——— dollars, and shall keep such certificate and exhibit the same at any and all times, when required so to do.

SEC. 3. The County Auditor shall prepare and cause to be printed a sufficient number of blank licenses mentioned in section one of this Act,



which shall be signed, issued and accounted for in the same manner as is by law provided in respect to other county licenses, and all laws now in force or which may hereafter be enacted in relation to the collection of moneys provided by law to be paid for other county licenses, so far as the same are not inconsistent with the provisions of this Act, shall be applicable to the collection of the money provided to be paid for license by section one of this Act. The County Auditor shall also prepare and cause to be printed blank certificates of health for the use of the examining physician, which shall be in convenient form, and shall express the amount required to be paid therefor by the preceding section. Said Auditor shall from time to time, when needed, countersign and issue to the examining physician so many of such blank certificates as he may need, taking his receipt therefor and charging him therewith.

SEC. 4. No certificate other than that mentioned in the preceding section shall be used or given for the purpose mentioned in section two of this Act, and any examining physician who shall issue any certificate contrary to the spirit and intention of this Act, or who shall receive the amount required to be paid by said section two, without delivering the proper receipt, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the county jail for a term not exceeding three months.

SEC. 5. If any person shall keep or carry on, or cause to be kept or carried on, any house or place for purposes of prostitution, or shall knowingly permit the practise of prostitution in or about his or her residence, without first having procured a license, as provided in section one of this Act, he or she shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten nor more than one hundred dollars.

SEC. 6. If any person, being an inmate of any bawdy house for purposes of prostitution, shall refuse to submit to an examination in such manner as may be prescribed or required by the examining physician, or shall practise or offer herself for prostitution without first having obtained a certificate of health from said physician, as provided in section two of this Act, such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten nor more than fifty dollars, or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment.

SEC. 7. Any person keeping or carrying on any bawdy house under and by virtue of a license provided for in section two of this Act, who shall practise prostitution without having obtained a certificate of health, as provided for in section two of this Act, or who shall knowingly suffer or permit any other person to offer herself for purposes of prostitution in or about such house, without such person has obtained such certificate of health, or who shall practise or knowingly suffer or permit any other person to practise prostitution in or about such house while infected with any venereal or other infectious or contagious disease, such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section — of this Act, and in addition shall forfeit such license.

SEC. 8. It is hereby made the duty of the Board of County Commissioners of each county in this State, in which there may be kept or carried on any licensed house or houses of prostitution, at their first session after they shall be informed that such license or licenses have been



issued, to appoint some competent practising physician, resident of such county, as examining physician, and shall fix the rate of compensation such physician shall receive for his services, which shall be audited and paid from the fund created by the provisions of this Act, in the same manner as other bills against the county. Said physician shall, before entering upon his duties, take the oath of office prescribed by law, and also that he will faithfully perform his duties as such examining physician. He shall also be required to execute a bond in a penal sum of not less than one thousand dollars, to be approved by the Board of County Commissioners, conditioned for the faithful performance of his duties, as prescribed by law; *provided*, that any such appointment may be revoked at the discretion of said Board of County Commissioners; and *provided* further, that if it shall be proved by competent testimony that any physician appointed as in this section provided is incompetent, or neglects to perform all the duties required of him by the provisions of this Act, then it shall be the duty of said Board of County Commissioners to remove such physician and appoint another.

SEC. 9. It shall be the duty of the examining physician appointed, as provided in the preceding section, to procure from the Sheriff of his county a list of all bawdy houses for which such Sheriff has issued licenses, as provided in section one of this Act, and to visit each and every one of said houses at least once in every two weeks, and examine each and every person in said house who may be there for the purpose of prostitution, and shall furnish a certificate of health to each of such persons as in his opinion are free from any venereal, infectious or contagious diseases, upon the payment to him of the sum required to be paid by section two of this Act. Said physician shall, on the first Monday of each month, pay over to the County Treasurer of the county all moneys received by him for certificates of health issued during the preceding month, taking duplicate receipts therefor, one of which receipts he shall on the same day file with the County Auditor. He shall also, on the first Monday of each month, deliver a written report to the Board of County Commissioners, in which shall be specified the number of certificates of health granted, and the number and names of all persons examined and found diseased during the preceding month. It shall also be the duty of said physician to immediately report to the Justice of the Peace of the township in which any bawdy house may be situated, the name or names of any person or persons found in any such house, who in his opinion are there for the purpose of prostitution, who refuse to submit to an examination, or to comply with the provisions of section two of this Act; *provided*, that in no case shall such physician conduct any such examination in a rude or libidinous manner, or require any such person to submit to any examination other than such as is actually necessary for detection of the existence of venereal, infectious or contagious disease.

SEC. 10. It is hereby made the duty of the Justice of the Peace of any township in this State, upon receiving a report from the examining physician of his county, as prescribed in the preceding section, to cite the person or persons so reported to him by said physician to appear before him forthwith, or at a subsequent period, not to exceed three days, to answer in relation thereto. Such citation may be served by the Sheriff or any Constable of the county, and shall be served by delivering a copy thereof to each of the persons named in the citation, personally. Said Justice of the Peace may summon by subpoena the physician reporting the case to him, or any other person who shall have reliable



information or knows anything about the matter, to appear before him and testify in the case. Such subpoena shall be served in the same manner required in the service of other subpoenas in similar cases. If upon examination said Justice of the Peace is satisfied that any of such persons were not in a bawdy house for the purposes of prostitution, then such person shall be released; but if he shall be satisfied that any of such persons were there for purposes of prostitution, then he shall order such person to submit to an examination by said examining physician, and to comply with the provisions of this Act within twenty-four hours from the time such judgment is rendered; and in case of a wilful neglect or refusal by such person or persons to obey the order of citation or the judgment of the Court, such person shall be deemed in contempt of such Justice of the Peace, and may be proceeded against as in other cases of contempt in criminal cases in Justices' Courts. For services rendered under the provisions of this section, such fees shall be allowed as for similar services, to be taxed and collected as other fees in criminal cases before Justices of the Peace; *provided*, that in no case shall said physician be liable for any costs incurred in any such proceeding.

SEC. 11. All moneys received for licenses and certificates of health, under the provisions of this Act, and all moneys received for fines imposed for any violation of this Act, shall be paid into the county treasury. It is hereby made the duty of the County Treasurer of any county of this State to place all such moneys in a separate fund, to be known as the Bawdy-house Fund, and to keep an account thereof, and to pay all warrants drawn thereon as provided in this Act.

SEC. 12. It is hereby made the duty of the Board of County Commissioners of each county of this State, upon the report of the examining physicians of their county that any person or persons, inmates of a bawdy house for the purposes of prostitution, have been examined by him and found diseased, to provide for the care, medical attendance and maintenance of such person or persons; and all expenses incurred for medical attendance, care or maintenance of such person or persons, shall be paid out of the Bawdy-house Fund. All claims against said fund shall be audited and allowed in the same manner as other claims against the county; *provided*, that all moneys appropriated out of said fund, except for compensation of the examining physician, shall be for medical attendance, care and maintenance of diseased prostitutes, who at the time of contracting such disease were inmates of some bawdy house in the county to which she may apply, and procured a certificate of health from the examining physician of said county; and *provided* further, that in no case shall any claim provided to be paid out of the fund herein created, be paid from any other funds of the county.

SEC. 13. No town, city or municipal corporation in this State shall hereafter have power to prohibit or suppress any house of prostitution licensed as provided by this Act.

SEC. 14. No person, otherwise competent as a witness, shall be disqualified or excused from testifying as such before any Court or Justice of the Peace, to any facts concerning the offences mentioned in the foregoing sections of this Act, on the grounds that his testimony may criminate himself.